

**Zoning Ordinance Approval**  
**CITY OF AUSTIN**  
**RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: 60**  
**AGENDA DATE: Thu 01/26/2006**  
**PAGE: 1 of 1**

**SUBJECT:** NPA-05-0016.02 - East 5<sup>th</sup> & Allen Street - Approve second/third readings of an ordinance to amend Ordinance No. 030327-12 (Govalle/Johnston Terrace Combined Neighborhood Plan), an element of the Austin Tomorrow Comprehensive Plan to change the Future Land Use Map from commercial land use designation to mixed use designation for the property located at 3304 East 5<sup>th</sup> Street. First reading approved on December 1, 2005. Vote: 6-0 (McCracken off the dais). Applicant: Saldana Homes. Agent: Rose Marie Rocha. City Staff: Scott Whiteman, 974-2865.

**REQUESTING** Neighborhood Planning  
**DEPARTMENT:** and Zoning

**DIRECTOR'S**  
**AUTHORIZATION:** Greg Guernsey

**NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET**

**NEIGHORHOOD PLAN:** Govalle/Johnston Terrace Combined Neighborhood Plan

**CASE#:** NPA-05-0016.02

**PC PUBLIC HEARING DATE:** Tuesday, October 11, 2005

**ADDRESS:** 3304 E. 5<sup>th</sup> St.      **AREA:** .346 Acres

**APPLICANT:** Saldaña Homes

**OWNER:** Saldaña Homes

**AGENT:** Rose Marie Rocha

**TYPE OF AMENDMENT:**

**Change in Future Land Use Designation**

**From:** Commercial  
**To:** Mixed Use  
**Related Zoning Case:** C14-05-0123

**Base District Zoning Change**

**From:** GR-NP, Community Commercial - Neighborhood Plan Combining District  
**To:** GR-MU-NP, Community Commercial – Mixed Use - Neighborhood Plan Combining District

**PLAN ADOPTION DATE:** March 27, 2003

**NPCD ADOPTION DATE:** March 27, 2003

**STAFF RECOMMENDATION:** The staff recommendation is to **APPROVE** the requested change from commercial on the Future Land Use Map (FLUM) to mixed-use land use designation.

**BASIS FOR RECOMMENDATION:** The requested amendment is consistent with the Land Use recommendations in the Govalle/Johnston Terrace Combined Neighborhood Plan. See *Analysis* for more details.

**PLANNING COMMISSION RECOMMENDATION:** Recommended by consent (9-0)

**BACKGROUND:** The Govalle/Johnston Terrace Combined Neighborhood Plan was completed under the City of Austin's Neighborhood Planning Program and was adopted as part of the Austin Tomorrow Comprehensive Plan on March 27, 2003. The requested plan amendment is in the Govalle Neighborhood Planning Area. The boundaries of the planning area are: Oak Springs Road on the north, Airport Boulevard on the east, the Colorado River on the south, and Pleasant Valley Road, 7<sup>th</sup> Street, Northwestern Avenue and Webberville Road on the west.

The subject tract is a .346 acre corner lot currently occupied by a vacant single-family house and metal shed. As part of the Govalle/Johnston Terrace neighborhood planning process, the subject tract was rezoned from LI (Limited Industrial services) to GR-NP. The applicant is requesting the plan amendment and zoning change to construct six for-sale multifamily units on the site. Multifamily residential is not a permitted use in the GR district.

**ANALYSIS:** The Govalle/Johnston Terrace Combined neighborhood plan land use goals state:

1. Develop a balanced and varied pattern of land use.
2. Create and preserve a sense of "human scale" to the built environment of the neighborhood.

**The proposed plan amendment is consistent with these Goals.**

**The proposed plan amendment is also consistent with the following Key Planning Principles in the neighborhood plan:**

- Encourage mixed use so that residential uses are allowed on some commercial properties.
- Encourage higher density residential developments to locate near major intersections, and in locations that minimize conflicts with lower density single-family neighborhoods.
- Provide a diverse range of housing opportunities for all stages of life and income levels.
- Encourage the development of affordable single-family and multifamily units on vacant tracts in established neighborhoods.

**PUBLIC MEETINGS:** NPZD staff held a public stakeholder meeting on September 21, 2005. Invitations were sent to the Govalle/Johnston Terrace interest list and property owners within 300 feet of the proposed plan amendment.

At this time, Govalle/Johnston Terrace does not have an officially-recognized planning team with adopted bylaws. However, by consensus, the stakeholders agreed to the proposed plan

amendment and zoning change with the applicant agreeing to limit some of the uses permitted in the GR district.

**CITY COUNCIL DATE:** January 26, 2006

**ACTION:** 12-1-05--The first reading of the ordinance for mixed use designation was approved. 6-0 (McCracken off the dais)

**CASE MANAGERS:** Scott Whiteman (Plan Amendment) **PHONE:** 974-2865  
Robert Heil (Zoning Case) 974-6054

**EMAIL:** [scott.whiteman@ci.austin.tx.us](mailto:scott.whiteman@ci.austin.tx.us)  
[robert.heil@ci.austin.tx.us](mailto:robert.heil@ci.austin.tx.us)



**Zoning Public Hearing  
CITY OF AUSTIN  
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: Z-  
AGENDA DATE: Thu 12/01/2005  
PAGE: 1 of 1**

**SUBJECT:** NPA-05-0016.02 - East 5<sup>th</sup> & Allen Street - Conduct a public hearing and approve an ordinance to amend Ordinance No. 030327-112 (Govalle/Johnston Terrace Combined Neighborhood Plan), an element of the Austin Tomorrow Comprehensive Plan to change the Future Land Use Map from commercial land use designation to mixed use designation for the property located at 3304 E. 5<sup>th</sup> Street. Planning Commission Recommendation: To grant mixed use designation. Applicant: Saldana Homes. Agent: Rose Marie Rocha. City Staff: Scott Whiteman, 974-2865.

**REQUESTING** Neighborhood Planning  
**DEPARTMENT:** and Zoning

**DIRECTOR'S**  
**AUTHORIZATION:** \_\_\_\_\_

## NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

**NEIGHBORHOOD PLAN:** Govalle/Johnston Terrace Combined Neighborhood Plan

**CASE#:** NPA-05-0016.02

**PC PUBLIC HEARING DATE:** Tuesday, October 11, 2005

**ADDRESS:** 3304 E. 5<sup>th</sup> St.      **AREA:** .346 Acres

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**TYPE OF AMENDMENT:**

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**To:** GR-MU-NP, Community Commercial – Mixed Use - Neighborhood Plan  
Combining District

**PLAN ADOPTION DATE:** March 27, 2003

**NPCD ADOPTION DATE:** March 27, 2003

**STAFF RECOMMENDATION:** The staff recommendation is to **APPROVE** the requested change from commercial on the Future Land Use Map (FLUM) to mixed-use land use designation.

**BASIS FOR RECOMMENDATION:** The requested amendment is consistent with the Land Use recommendations in the Govalle/Johnston Terrace Combined Neighborhood Plan. See *Analysis* for more details.

**PLANNING COMMISSION RECOMMENDATION:** To grant the requested change to the Future Land Use Map from Commercial to Mixed Use (9-0).

**BACKGROUND:** The Govalle/Johnston Terrace Combined Neighborhood Plan was completed under the City of Austin's Neighborhood Planning Program and was adopted as part of the Austin Tomorrow Comprehensive Plan on March 27, 2003. The requested plan amendment is in the Govalle Neighborhood Planning Area. The boundaries of the planning area are: Oak Springs Road on the north, Airport Boulevard on the east, the Colorado River on the south, and Pleasant Valley Road, 7<sup>th</sup> Street, Northwestern Avenue and Webberville Road on the west.

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amendment and zoning change with the applicant agreeing to limit some of the uses permitted in the GR district.

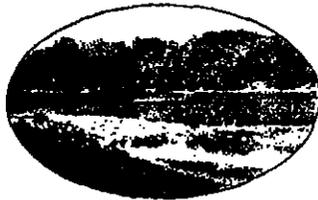
**CITY COUNCIL DATE:** To be determined

**ACTION:**

**CASE MANAGERS:** Scott Whiteman (Plan Amendment)  
Robert Heil (Zoning Case)

**PHONE:** 974-2865  
974-6054

**EMAIL:** [scott.whiteman@ci.austin.tx.us](mailto:scott.whiteman@ci.austin.tx.us)  
[robert.heil@ci.austin.tx.us](mailto:robert.heil@ci.austin.tx.us)



**RIVER BLUFF NEIGHBORHOOD ASSOCIATION**  
4907 Red Bluff Road, Austin, Texas 78702-5121

October 10, 2005

Dear Ms. Rocha,

Thank you for your presentation at the Govalle/Johnston Terrace Planning Team Review Committee meeting, held on September 21, 2005, on your proposed projects at **3304 East 5<sup>th</sup> and 704 Gunter Street**.

At this meeting, the Review Committee members and other neighborhood members heard and reviewed your presentation on the request to change the zoning for properties located at 3304 E. 5<sup>th</sup> and 704 Gunter Street. After an extensive discussion, members of the Review committee and other residents present came to a consensus decision on the above mentioned properties.

It was unanimously agreed by all attendees to accept the proposed amendments changes with the conditions as follows:

It is agreed that the here-mentioned properties **will be developed primarily as residential units, marketed & sold as such**. And in the event that Saldana Homes cannot market them as residential units, they will only market them for the following commercial purposes:

- The first amendment is to allow new construction for commercial mixed-use on the property of 3304 East 5 Street. Therefore, rezoning from GR-NP to GR-MU-CO-NP, with the conditional Overlay allowing only:
  - Administrative and Business Office
  - Professional Offices
  - Art and Craft Studio-Limited
- Second amendment request was to allow new construction for commercial mix-use on the property of 704 Gunter St. It was also agree to rezone from CS-CO-NP to CS-MU-CO-NP, with the conditional Overlay allowing only:
  - Administrative and Business Office
  - Professional Offices
  - Art and Craft Studio-Limited

We hereby support your project on condition that you honor and maintain these herein expressed conditions.

Thank you again for your desire to work with your neighbors in order to make Austin a better place for all of us to live in.

Daniel Llanes, coordinator  
Neighborhood Review Committee,  
Govalle/Johnston Terrace Neighborhood Planning Team

The first amendment is to allow new construction for commercial mixed-use on the property of 3304 East 5 Street. Therefore, rezoning from GR-NP to GR-MU-CO-NP, with the conditional Overlay allowing only:

Administrative and Business Office

Professional Offices

Art and Craft Studio-Limited

Second amendment request was to allow new construction for commercial mix-use on the property of 704 Gunter St. It was also agree to rezone from CS-CO-NP to CS-MU-CO-NP, with the conditional Overlay allowing only:

Administrative and Business Office

Professional Offices

Art and Craft Studio-Limited

We hereby support your project on condition that you honor and maintain these herein expressed conditions.

Thank you again for your desire to work with your neighbors in order to make Austin a better place for all of us to live in.

Daniel Llanes, coordinator

Neighborhood Review Committee,

Govalle/Johnston Terrace Neighborhood Planning Team

**Whiteman, Scott**

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**From:** daniel llanes [dllanesrb@earthlink.net]  
**Sent:** Tuesday, October 11, 2005 4:01 PM  
**To:** Whiteman, Scott  
**Subject:** Letter of support for Saldana Homes projects at 3304 E. 5th & 704 Gunter

Scott, here is a cut & paste version of the letter. It is not signed. I will have a hard copy signed one for you at planning commission tonight.

Let me know if you need anything else.

thanks,

Daniel Llanes, coordinator

Neighborhood Review Committee,

Govalle/Johnston Terrace Neighborhood Planning Team

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October 10, 2005

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At this meeting, the Review Committee members and other neighborhood members heard and reviewed your presentation on the request to change the zoning for properties located at 3304 E. 5th and 704 Gunter Street. After an extensive discussion, members of the Review committee and other residents present came to a consensus decision on the above mentioned properties.

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**BASIS FOR RECOMMENDATION:** The requested amendment is consistent with the Land Use recommendations in the Govalle/Johnston Terrace Combined Neighborhood Plan. See *Analysis* for more details.

**PLANNING COMMISSION RECOMMENDATION:** Pending

**5<sup>th</sup> & Gunter**

The following uses are prohibited:

- |  |   |
|--|---|
| Art gallery                            | Hospital services (Limited)                                       |
| Automotive rentals                     | Hotel-motel   |
| Automotive repair services             | Indoor entertainment  |
| Automotive sales                       | Indoor sports and recreation                                      |
| Automotive washing (of any type)       | Medical offices (exceeding 5,000 sq. ft. of gross floor area)     |
| Bail bond services                     | Medical offices (not exceeding 5,000 sq. ft. of gross floor area) |
| Business or trade school               | Off site accessory parking  |
| Business support services              | Outdoor entertainment   |
| College and university facilities      | Outdoor sports and recreation                                     |
| Commercial off-street parking          | Pawn shop services  |
| Communications services                | Personal improvement services                                     |
| Consumer convenience services          | Personal services   |
| Consumer repair services               | Pet services  |
| Custom manufacturing                   | Plant nursery   |
| Drop-off recycling collection facility | Printing & publishing services                                    |
| Exterminating services                 | Research services   |
| Financial services                     | Residential treatment   |
| Food preparation                       | Restaurant (General)  |
| Food sales                             | Restaurant (Limited)  |
| Funeral services                       | Service station   |
| General retail sales (Convenience)     | Software development  |
| General retail sales (General)         | Theater   |
| Guidance services                      |   |
| Hospital services (General)            |   |

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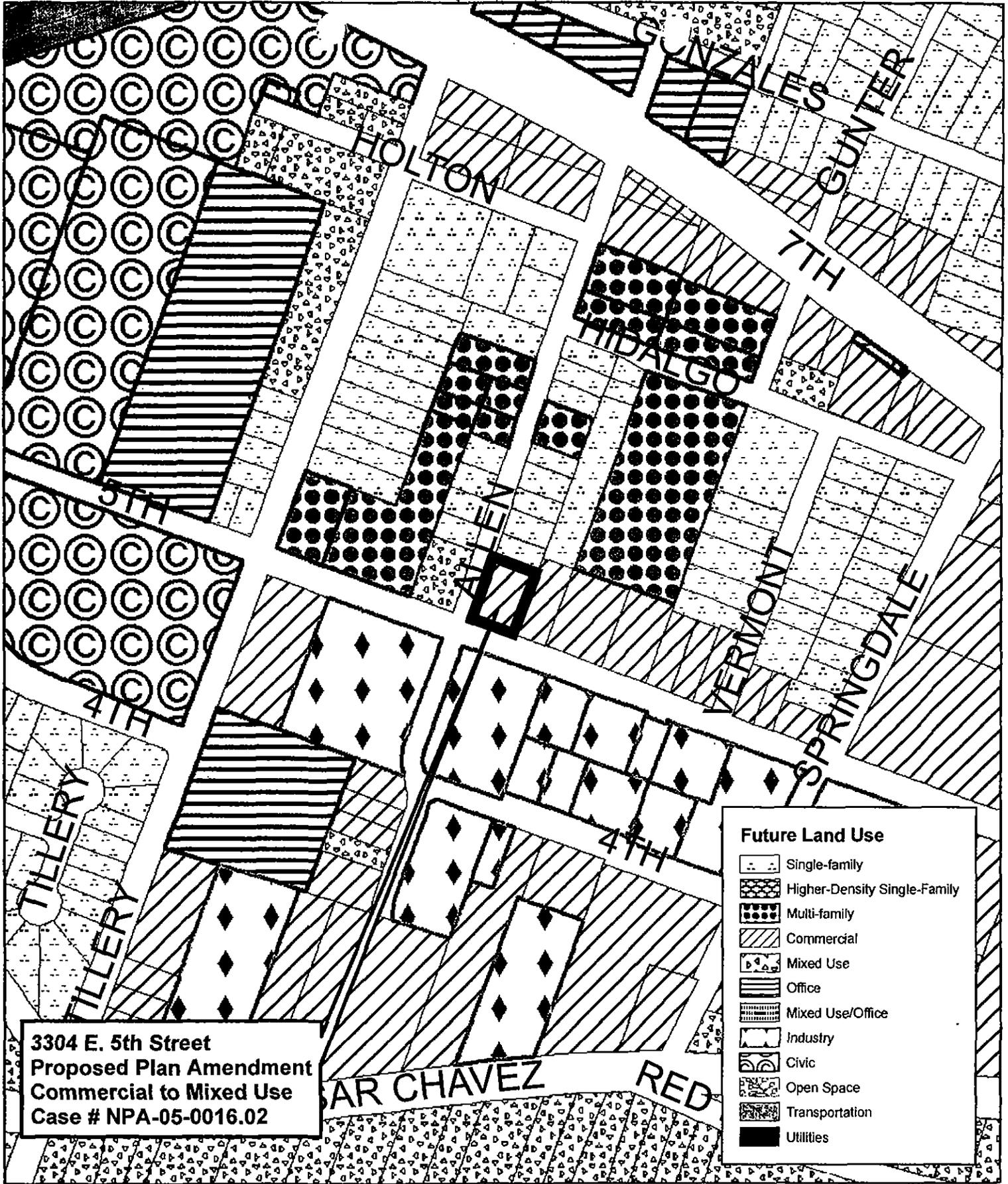
**CITY COUNCIL DATE:** To be determined

**ACTION:**

**CASE MANAGERS:** Scott Whiteman (Plan Amendment)  
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**PHONE:** 974-2865  
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**EMAIL:** [scott.whiteman@ci.austin.tx.us](mailto:scott.whiteman@ci.austin.tx.us)  
[robert.heil@ci.austin.tx.us](mailto:robert.heil@ci.austin.tx.us)



**3304 E. 5th Street**  
**Proposed Plan Amendment**  
**Commercial to Mixed Use**  
**Case # NPA-05-0016.02**

**Future Land Use**

- Single-family
- Higher-Density Single-Family
- Multi-family
- Commercial
- Mixed Use
- Office
- Mixed Use/Office
- Industry
- Civic
- Open Space
- Transportation
- Utilities



**Govalle/Johnston Terrace**  
**Combined Neighborhood Plan**  
**Neighborhood Plan Amendment**  
**Case# NPA-05-0016.02**

Created by NPZD  
 10/5/2005



